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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 CALIFORNIA DEPARTMENT OF
11 TOXIC SUBSTANCES CONTROL,

12 Plaintiff,

CIV-S-02-0018 GEB/JFM/GGH

13 vs.

14 BRIGHTON OIL COMPANY, et al.,

15 Defendants.

ORDER

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17 It has come to the court's attention that defendant Mid-Valley Development has
18 not paid the initial assessment as it had agreed and was ordered to do. Also, the issue of access
19 to the parcel owned by Mid-Valley requires resolution. Finally, the attorney for Mid-Valley,
20 Jeffory Scharff, has filed a notice of intent to file a motion to withdraw as counsel.

21 These matters require immediate attention. Therefore, both the principal officer
22 for Mid-Valley development and its attorney, Mr. Scharff, shall personally appear in the
23 courtroom of the undersigned on October 4, 2005 at 9:00 a.m. Failure to appear will result in
24 sanctions, which may include a recommendation that the answer of Mid-Valley be stricken.

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1 Any other interested party in this litigation may attend the hearing, but are not
2 required to do so.

3 DATED: 9/28/05

/s/ Gregory G. Hollows

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5 GREGORY G. HOLLOWS
6 UNITED STATES MAGISTRATE JUDGE

GGH:gh:035
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